

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3-36, 102, 103, and 133-142 are pending in this case. Claims 1, 16, 23, 31, 33-35, 139, and 140 are amended and new Claims 141 and 142 are added by the present amendment. As amended Claims 1, 16, 23, 31, 33-35, 139, and 140 and new Claims 141 and 142 are supported by the original disclosure,<sup>1</sup> no new matter is added.

In the outstanding Office Action, Claims 139 and 140 were rejected under 35 U.S.C. §101; Claims 1, 3-6, 8, 15-17, 21, 23-26, 28, 29, 31-36, 102, 103, 133, and 134 were rejected under 35 U.S.C. §102(b) as anticipated by Dorricott et al. (Great Britain Patent No. 2 312 078, hereinafter “Dorricott”); Claim 7 was rejected under 35 U.S.C. §103(a) as unpatentable over Dorricott in view of Wilkinson (“Linking Essence and Metadata in a Systems Environment”); and Claims 9-12, 18-20, 22, 27, 30, and 135-140 were rejected under 35 U.S.C. §103(a) as unpatentable over Dorricott.

Applicants and Applicants’ representatives thank Examiners Topgyal and Tran for the courtesy of the interview granted to Applicants’ representatives on April 1, 2008. During the interview, differences between the claims and the cited references were discussed. Examiners Topgyal and Tran agreed that a proposed amendment to Claim 1 appeared to overcome the art rejections of record. This proposed amendment to Claim 1 is presented herewith. Further, amendments to overcome the rejection under 35 U.S.C. §101 were also discussed.

With regard to the rejection of Claims 139 and 140 under 35 U.S.C. §101, Claim 139 is amended to recite a system including a recording/reproducing apparatus and a memory. An amendment of this nature was suggested by the examiners during the above noted

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<sup>1</sup>See, e.g., the specification at page 8, lines 1-10 and page 9, lines 9 to 13.

interview. Accordingly, it is respectfully requested that Claim 139 (and Claim 140 dependent therefrom) is in compliance with all requirements under 35 U.S.C. §101.

With regard to the rejection of Claims 1, 16, 23, 29, 31, and 33-35 as anticipated by Dorricott, that rejection is respectfully traversed.

Amended Claims 1, 16, and 31 recite in part “the recorder is configured to record the first material identifiers, the second identifiers, and the semantic metadata on the recording medium with the video and/or audio material.” Claim 23 recites in part “the recorder is configured to record the second identifiers and the semantic metadata on the recording medium with the video and/or audio material.” Claims 33 to 35 recite in part “recording the first material identifiers, the second identifiers, and the semantic metadata on the recording medium with the video and/or audio material.”

In contrast, Dorricott describes a method of cataloging video information wherein video material stored in stores 1, 2, 21 is analyzed to generate information which is stored in separate databases 5 and 6.<sup>2</sup> The outstanding Office Action cited information in database 6 as “first material identifiers,” “second identifiers,” and “semantic metadata.”<sup>3</sup> However, it is respectfully submitted that database 6 of Dorricott does not include the video material 30, it is only stored in stores 1, 2, and 21, as noted in Dorricott at page 3, lines 8 and 9 and page 3, line 18. Thus, it is respectfully submitted that Dorricott does not teach that any of the “first material identifiers,” “second identifiers,” and “semantic metadata” are stored with the video material. Accordingly, does not teach that “the recorder is configured to record the second identifiers and the semantic metadata on the recording medium with the video and/or audio material” as recited in amended Claims 1, 16, 23, and 31 or “recording” as defined in amended Claims 33-35. Consequently, Claims 1, 16, 23, 31, and 33-35 (and Claims 3-15,

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<sup>2</sup>See Dorricott, page 3, line 14 to page 4, line 4.

<sup>3</sup>See the outstanding Office Action at page 4, line 19 to page 5, line 22.

17-22, 24-28, 36, 102, 103, 133, and 134 dependent therefrom) are not anticipated by Dorricott and are patentable thereover.

With regard to the rejection of Claim 7 as unpatentable over Dorricott in view of Wilkinson, it is noted that Claim 7 is dependent from Claim 1, and thus is believed to be patentable for at least the reasons discussed above with respect to Claim 1. Further, it is respectfully submitted that Wilkinson does not cure any of the above-noted deficiencies of Dorricott. Accordingly, it is respectfully submitted that Claim 7 is patentable over Dorricott in view of Wilkinson.

Claim 29 recites:

A recording medium *on which audio and/or video material is recorded, the medium having recorded thereon material identifiers identifying the recorded material*, the material identifiers being in user bits of time code recorded on the medium,  
the medium including a substrate and a recording layer, the audio and/or video material being recorded in grooves in the recording layer,  
*the medium further including semantic metadata* describing an attribute of the material, wherein the semantic metadata is associated with a corresponding material identifier and a recording medium identifier, the semantic metadata including descriptive information about an actual content of the material,  
wherein a reproducing apparatus accesses the material identifiers when reproducing the audio and/or video material.

As noted above, Dorricott does not teach or suggest that any material identifiers or semantic metadata is stored with the video material 30. In fact, each item cited in the outstanding Office Action as material identifiers or semantic metadata is clearly described by Dorricott as stored in databases 5 or 6. As the video material 30 is only stored in stores 1, 2, and 21, Dorricott cannot teach or suggest a medium storing all of: (1) audio and/or video material, (2) material identifiers, and (3) semantic metadata as recited in Claim 29. Thus, Claim 29 (and Claim 30 dependent therefrom) is not anticipated by Dorricott and is patentable thereover. In a similar manner, the tape recited in Claim 135, the disk recited in

Claim 137, and the memory recited in Claim 139 are also not anticipated by Dorricott. Thus, Claims 135, 137, and 139 (and Claims 136, 138, and 140 dependent therefrom) are not anticipated by Dorricott and are patentable thereover.

New Claims 141 and 142 are supported at least by the specification at page 8, lines 1-10 and page 9, lines 9 to 13. New Claim 141 recites in part “the metadata generator configured to assign the semantic metadata into different categories and to prioritize recording of each of the different categories.” The outstanding Office Action cited the information identifying the shots and the picture stamps described at page 3, line 3 to page 4, line 2 of Dorricott as “semantic metadata.”<sup>4</sup> However, even assuming *arguendo* these two types of data are considered different “categories,” there is no teaching or suggestion in Dorricott to prioritize recording of each of these different types of data. Thus, it is respectfully submitted that Dorricott does not anticipate or render obvious “the metadata generator is configured to assign the semantic metadata into different categories and to prioritize recording of each of the different categories” as defined in new Claim 141.

New Claim 142 recites in part “the metadata generator configured to generate non-semantic metadata, to estimate an importance of the semantic metadata and the non-semantic metadata, and to prioritize recording of the respective metadata on a basis of the estimated importance.” It is respectfully submitted that Dorricott does not teach or suggest the prioritization recited in Claim 142, and further there is no suggestion or motivation to add such a feature to the device described by Dorricott. Thus, it is respectfully submitted that Dorricott does not anticipate or render obvious “the metadata generator configured to generate non-semantic metadata, to estimate an importance of the semantic metadata and the non-semantic metadata, and to prioritize recording of the respective metadata on a basis of the estimated importance” as defined in new Claim 142.

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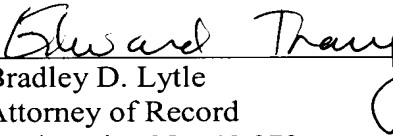
<sup>4</sup>See the outstanding office action at

Consequently, new Claims 141 and 142 are not anticipated by Dorricott and are patentable thereover.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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